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DIS. CT. # 02-23

No. 02-4266

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FILED

APR 29 2005

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

LEONARD GREEN, Clerk

UNITED STATES OF AMERICA,
Plaintiff - Appellee

v.

ROBERT SCHNEIDER,
Defendant - Appellant

ORDER

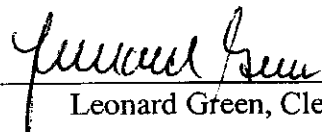
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(Beckwith)

Before: BATCHELDER and GIBBONS, Circuit Judges; COHN, District Judge*

This matter comes before the court upon remand from the U.S. Supreme Court, which on January 24, 2005 granted defendant Schneider's petition for a writ of certiorari, vacated the judgment of this court, and remanded for further consideration in light of *United States v. Booker*, 543 U.S. ___, 125 S.Ct. 738 (2005). *Schneider v. United States*, 125 S.Ct. 1091 (2005).

Upon consideration, this matter is REMANDED to the district court for resentencing in light of *Booker*.

ENTERED BY ORDER OF THE COURT


Leonard Green, Clerk

* The Honorable Avern Cohn, United States District Judge for the Eastern District of Michigan, sitting by designation.